

# CILENTI & COOPER, PLLC

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November 28, 2017

## **RESPONSE TO COUNSEL'S LETTER APPLICATION TO BE RELIEVED AS COUNSEL**

### **BY ECF**

Honorable Robert W. Sweet  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: Maikel T. Shonouda v. Charles J. Nafie Architect, et. al.  
Case No.: 17 Civ. 6098 (RWS) (SN)**

Dear Judge Sweet,

We are counsel to the plaintiff Maikel T. Shonouda. We write in response to the letter application of defense counsel to be relieved. We do not oppose counsel's application and recommend that the court deem it a letter motion to be relieved without need for a formal motion. Indeed, the docket reflects that the defendant was served with the complaint in August and has repeatedly made (and broken) promises to respond to the complaint, delaying the prosecution of this action. *See, e.g.*, Docket 7 (our letter to the court requesting an extension of time for defendants to retain counsel). There is an initial pretrial conference scheduled for December 12<sup>th</sup>. We respectfully ask the court order defendants to show cause why a default judgment should not be entered against them if they do not respond to the complaint and appear at the scheduled conference, prepared to proceed in this matter. Like defense counsel, we are greatly frustrated by defendants' conduct in this matter.

Thank you for your consideration of this matter.

Respectfully submitted,

Cilenti & Cooper, PLLC

/s/ *Peter H. Cooper*

By: \_\_\_\_\_  
Peter H. Cooper

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cc: Charles J. Nafie (Via E-mail: [cnafe@cjnaarchitects.com](mailto:cnafe@cjnaarchitects.com))  
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Daniel Ritson, Esq. (Via ECF)